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CHANEL, INC.

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

CHANEL, INC.,

Plaintiff,

vs.

KATE CUMMINGS D/B/A
RECYCLED VINTAGE COUTURE,

Defendant.

Case No.: 2:18-cv-04330-RGK-KS

**[PROPOSED] FINAL DEFAULT
JUDGMENT AND PERMANENT
INJUNCTION**

Date: January 7, 2019

Time: 9:00 a.m.

Dept.: Courtroom 850

1 THIS MATTER having come before the Court upon Plaintiff Chanel, Inc.'s
2 Motion for Final Default Judgment against Defendant Katie Cummings d/b/a
3 Recycled Vintage Couture ("Defendant"), and the Court having considered the
4 submitted papers;


5 IT IS HEREBY ORDERED that Plaintiff's Motion for Entry of Final Default
6 Judgment is GRANTED, and judgment is entered in favor of Plaintiff, Chanel, Inc.,
7 a New York corporation, with its principal place of business in the United States
8 located at Nine West 57th Street, New York, and against Defendant Katie
9 Cummings d/b/a Recycled Vintage Couture ("Defendant") as follows:

10 1. Permanent Injunctive Relief:

11 Defendant and her officers, agents, servants, employees and attorneys, and all
12 persons acting in concert and participation with Defendant are hereby permanently
13 restrained and enjoined from:

- 14 a. manufacturing or causing to be manufactured, importing,
15 advertising, or promoting, distributing, selling or offering to sell
16 counterfeit and infringing goods using the Plaintiff's trademarks
17 identified in Paragraph 19 of the Complaint (collectively, the
18 "Chanel Marks"), and identified below:

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| 20 MARK | REG. NO. | REG. DATE | RELEVANT GOODS |
|--|-----------|----------------|--|
| 21 CHANEL | 612,169 | Sept. 13, 1955 | Necklaces (Class 14) |
| 22 CHANEL | 902,190 | Nov. 10, 1970 | Bracelets, pins and earrings 23 (Class 14) |
| 24  | 1,501,898 | Aug. 30, 1988 | 25 <i>Inter alia</i> , costume jewelry 26 (Class 14) and brooches, buttons for clothing (Class 26) |
| 27 CHANEL | 3,133,139 | Aug. 22, 2006 | Jewelry and watches (Class 14) |

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- b. using the Chanel Marks in connection with the sale of any unauthorized goods;
- c. using any logo, image and/or layout which may be calculated to falsely advertise the services or products of Defendant as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;
- d. falsely representing herself as being connected with Plaintiff, through sponsorship or association;
- e. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendant offered for sale or sold are in any way endorsed by, approved by, and/or associated with Plaintiff;
- f. using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendant, including, without limitation, necklaces and jewelry;
- g. affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by Defendant as being those of Plaintiff or in any way endorsed by Plaintiff;
- h. otherwise unfairly competing with Plaintiff; and
- i. effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.

2. Award Plaintiff \$105,000.00 against Defendant pursuant to 15 U.S.C. §

1117(c).

3. Award Plaintiff \$1,156.50 for cost of suit against Defendant pursuant to
15 U.S.C. § 1117(a).

4. Interest from the date this action was filed shall accrue at the legal rate.
See 28 U.S.C. § 1961.

IT IS SO ORDERED

DATED: January 9, 2019



HON. R. GARY KLAUSNER
UNITED STATES DISTRICT JUDGE